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Tetyana Dorsaneo

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT CALIFORNIA

TETYANA DORSANEO,

Plaintiff,

v.

EDWARD MATTHEW
DORSANEO, an individual,

Defendant.

CASE NO.

**VERIFIED COMPLAINT FOR
BREACH OF CONTRACT
(FORM I-864, U.S.C. 1182(A)(4)(C))**

JURY TRIAL REQUESTED

TO: THE HONORABLE JUDGE OF THE ABOVE ENTITLED COURT

COMES NOW plaintiff, Tetyana Dorsaneo, in the above captioned action, and
alleges as follows against defendant Edward Matthew Dorsaneo:

I.

INTRODUCTION

1. This is a lawsuit for immigration financial support under the Form I-864, Affidavit of Support ("Form I-864"). (A true and correct copy of a Form I-864 is attached hereto as Exhibit 1.)

2. The Form I-864 was created by the United States Congress in 1996 to ensure that family-sponsored immigrants are ensured a basic level of financial support, sufficient to meet the most basic needs of life. In mandating the Form I-864, Congress

1 required visa sponsors, rather than the American people, serve as a safety net to new
2 immigrants.

3 3. Plaintiff is the Beneficiary of a Form I-864 signed by the defendant.
4 Defendant has failed to provide plaintiff with the basic level of subsistence support
5 promised in the Form I-864 contract. This lawsuit seeks to compel the defendant to fulfill
6 his support duty mandated by the Form I-864 contract and federal law.

7 **II.**

8 **JURISDICTION**

9 4. This Court has subject matter jurisdiction over this lawsuit pursuant to 28
10 U.S.C. § 1331, as this action arises under federal immigration law. 8 U.S.C. § 1183a(e)(I).

11 5. This court has personal jurisdiction over defendant as, by signing the
12 Form I-864 defendant submitted to the jurisdiction of any court with subject matter
13 jurisdiction over plaintiff's claims. 8 U.S.C. § 1183a(a)(1)(C).

14 **III.**

15 **VENUE**

16 6. Venue in this matter is proper in this United States District because the
17 defendant resides in this district. 28 U.S.C. § 1391(e)(1)(A).

18 **IV.**

19 **PLAINTIFF**

20 7. Plaintiff Tetyana Dorsaneo is a citizen of Ukraine and lawful permanent
21 resident ("LPR") of the United States of America.

22 8. Plaintiff resides in County of Lackawanna, Pennsylvania.

23 **V.**

24 **DEFENDANT**

25 9. Defendant Edward Matthew Dorsaneo is a citizen of the United States of
26 America.

27 **////**

10. As further alleged below, defendant served as plaintiff's immigration sponsor, thereby contractually promising to provide a specified level of income to her.

11. Defendant resides in Rohnert Park, County of Sonoma, California.

VI.

FACTUAL ALLEGATIONS

Background concerning the Form I-864 Affidavit of Support

12. Plaintiff incorporates paragraphs 1 through 11 as though fully set forth herein.

13. United States immigration law has long prohibited immigration by individuals deemed likely to be a drain on public resources.

14. The current immigration statute, in effect at all times material to the facts alleged herein, forbids the entry of immigrants determined likely to become a "public charge." 8 U.S.C. § 1182(a)(4).

15. The Form I-864 is required for a family-based immigrant visa applicant to overcome public charge inadmissibility. *See* 8 U.S.C. § 1182(a)(4)(C).

16. Creation of the Form I-864 was mandated by Congress to ensure that certain classes of immigrants to the United States would be guaranteed a level of financial support necessary to meet basic human needs. *Cf.* Illegal Immigration Reform and Immigrant Responsibility Act of 1996, Pub. L. No. 104-208, 110 Stat. 3009; *see, e.g., Love v. Love*, 33 A. 3d 1268, 1276 (Pa. Super. Ct. 2011) ("[i]t is abundantly clear that the purpose of the Affidavit is to prevent an immigrant spouse from becoming a public charge").

17. The immigration agencies published interim regulations implementing the Form I-864 in the summer of 1997, which regulations were finalized in 2006. Affidavits of Support on Behalf of Immigrants, 62 Fed. Reg. 54346 (Oct. 20, 1997) (to be codified at 8 C.F.R. § 213.a1 *et seq.*) (hereinafter Preliminary Rules); Affidavits of Support on Behalf of Immigrants, 71 Fed. Reg. 35732 (June 21, 2006).

1 18. The Form I-864 has been mandatory in marriage-based immigrant visa
2 cases at all times material to the case at bar.

3 19. The Form I-864 is a legally binding contract between the sponsor and the
4 United States Government.

5 20. By signing the Form I-864, the sponsor expressly agrees to provide the
6 intending immigrant with any support necessary to maintain her at an income that is at
7 least 125 percent of the Federal Poverty Guidelines for her household size.

8 21. The Federal Poverty Guidelines are published annually in the Federal
9 Register, which published numbers govern the claims asserted herein.

10 22. The Form I-864 support obligation may be enforced by the immigrant
11 beneficiary, who is a third-party beneficiary thereof. *See In re Marriage of Khan*, No.
12 44814-9-II, 2014 Wash. App. LEXIS 1916, at *4-5 (Div. II, Aug. 5, 2014).

13 23. The Form I-864 specifies that the sponsor's support duty continues until
14 the beneficiary: (1) becomes a U.S. citizen; (2) can be credited with 40 quarters of work;
15 (3) is no longer a permanent resident and has departed the U.S.; (4) after being ordered
16 removed seeks permanent residency based on a different I-864; or (5) dies (collectively
17 "the Terminating Events").

18 **Facts concerning Plaintiff's claims**

19 24. Defendant is a citizen of the United States of America.

20 25. Plaintiff is a citizen of Ukraine.

21 26. Plaintiff and defendant were legally married on September 24, 2013.

22 27. Defendant thereafter elected to petition for plaintiff to immigrate to the
23 United States.

24 28. Because he was the immigration petitioner, U.S. immigration law
25 required, as a precondition to approval of plaintiff's application, that defendant execute
26 and file with the U.S. immigration authorities a Form I-864 in support of plaintiff (the
27 specific document executed by Sponsor is referred to hereinafter as the "Contract")
28

29. Defendant's support duty under the Contract was subject to the condition precedent that Plaintiff gain status as a Lawful Permanent Resident ("LPR") based on the Contract signed by defendant.

30. Plaintiff was granted status as an LPR of the United States on February 5, 2014.

31. Plaintiff's LPR status was based on the Contract signed by defendant.

32. None of the Terminating Events set forth in the Contract have yet occurred.

33. Defendant has failed to provide plaintiff with financial support as required under the Contract.

VII.

FIRST CAUSE OF ACTION

(Breach of Contract)

34. Plaintiff incorporates paragraphs 1 through 33 as though fully set forth herein.

35. By executing the Contract, defendant entered into an express written contract with the United States Government.

36. Plaintiff is a third-party beneficiary of the Contract.

37. Plaintiff has standing as a third-party beneficiary to enforce her rights under the Contract.

38. Under the express terms of the Contract defendant agreed to provide Plaintiff with any support necessary to maintain her at an income that is at least 125 percent of the Federal Poverty Guidelines for her household size.

39. Defendant's responsibility to provide income support commenced on February 5, 2014 when plaintiff became a lawful permanent resident of the United States.

40. All conditions precedent to defendant's duty to perform on the Contract were fulfilled as of February 5, 2014.

1 41. Defendant has breached the Contract by failing to provide income support
2 to Plaintiff.

3 42. As a result of defendant's breach, plaintiff has suffered damages in an
4 amount to be proven at trial, but in no case less than \$40,128.00.

5 43. Each month, defendant was required to pay plaintiff \$1,216, and that
6 obligation began approximately 33 months ago. Therefore, defendant is responsible for
7 \$40,128 in arrears to plaintiff plus interest, which totals approximately \$45,478.40 owed
8 at the time of filing this complaint.

9 44. Plaintiff's obligation continues going forward. Under the I-864 contract,
10 his obligation continues until one of the Terminating Events occurs.

11 45. None of the Terminating Events has occurred. Therefore, defendant owes
12 plaintiff \$1,216 per month going forward, and plaintiff requests an order from the Court
13 compelling defendant's performance of the Contract until one of the Terminating Events
14 occurs.

15 ////

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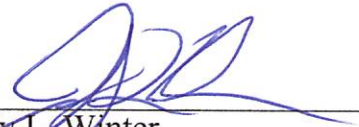
VIII.
PRAYER

WHEREFORE, plaintiff prays for judgment against defendant as follows:

1. For entry of judgment against defendant and in favor of plaintiff on each and every cause of action asserted herein;
2. For an award of damages in an amount not less than \$40,128.00, calculated as set forth herein, including but not limited to an amount equivalent to 125% of the Federal Poverty Guideline for plaintiff's household for the period from February 5, 2014 to the date on which judgment issues;
3. For prejudgment interest on the above sum in an amount not less than \$5,350.40;
4. For a declaration that plaintiff is entitled to continued receipt of financial support from defendant in the amount of 125% the Federal Poverty Guidelines for her household size, less actual income, until the occurrence of one of the Terminating Events.
5. For an order of specific performance, requiring defendant to make monthly payments to plaintiff of \$1,216, until such time as a Terminating Event occurs;
6. For an award of all of plaintiff's attorney fees;
7. For an award of all of plaintiff's costs;
8. For the right to amend this complaint as appropriate to conform to the evidence presented at trial; and
9. For such other and further relief in plaintiff's favor as the Court may deem just and equitable under the circumstances.

Dated: February 7, 2017

LLOYDWINTER
A Professional Corporation


By: 
Jody L. Winter,
Attorney for plaintiff
Tetyana Dorsaneo

VERIFICATION

I am a party to this action. The matters stated in the foregoing document are true of my own knowledge and to those matters which are stated, on information and belief, and as to those matters I believe them to be true.

I declare, under penalty of perjury under the laws of the State of Pennsylvania, that the foregoing is true and correct.

Executed this 10 day of February, 2017, County of Lackawanna, Pennsylvania.



Tetyana Dorsaneo

EXHIBIT “1”

Department of Homeland Security
U.S. Citizenship and Immigration Services

USCIS
Form I-864
OMB No. 1615-0075
Expires 07/31/2017

► START HERE - Type or print in black ink.

NOTE: If you select Item Number 1.a., 1.b., 1.c., 1.d., 1.e., or 1.f., you must include proof of your U.S. citizenship, U.S. national status, or lawful permanent resident status.

1.a. Family Name (Last Name)

1.b. Given Name (First Name)


1.c. Middle Name

2.a. In Care Of Name

2.b. Street Number and Name

2.c. ☐ Apt. ☐ Ste. ☐ Flr.

2.d. City or Town

2.e. State  2.f. ZIP Code

2.g. Province

2.h. Postal Code

2.i. Country

Part 2. Information About the Principal Immigrant (continued)**Other Information**

3. Country of Citizenship or Nationality
4. Date of Birth (mm/dd/yyyy)
5. Alien Registration Number (A-Number) (if any)
 ▶ A-
6. USCIS ELIS Account Number (if any)
 ▶
7. Daytime Telephone Number

Part 3. Information About the Immigrants You Are Sponsoring

1. I am sponsoring the principal immigrant named in **Part 2**.
☐ Yes ☐ No (Applicable only if you are sponsoring family members in **Part 3**, as the second joint sponsor)
2. ☐ I am sponsoring the following family members immigrating at the same time or within six months of the principal immigrant named in **Part 2**. (Do not include any relative listed on a separate visa petition.)

Family Member 1

- 3.a. Family Name (Last Name)
- 3.b. Given Name (First Name)
- 3.c. Middle Name
4. Relationship to Sponsored Immigrant
5. Date of Birth (mm/dd/yyyy)
6. Alien Registration Number (A-Number) (if any)
 ▶ A-

7. USCIS ELIS Account Number (if any)
 ▶

Family Member 2

- 8.a. Family Name (Last Name)
- 8.b. Given Name (First Name)
- 8.c. Middle Name
9. Relationship to Sponsored Immigrant
10. Date of Birth (mm/dd/yyyy)
11. Alien Registration Number (A-Number) (if any)
 ▶ A-
12. USCIS ELIS Account Number (if any)
 ▶

Family Member 3

- 13.a. Family Name (Last Name)
- 13.b. Given Name (First Name)
- 13.c. Middle Name
14. Relationship to Sponsored Immigrant
15. Date of Birth (mm/dd/yyyy)
16. Alien Registration Number (A-Number) (if any)
 ▶ A-
17. USCIS ELIS Account Number (if any)
 ▶

Family Member 4

- 18.a. Family Name (Last Name)
- 18.b. Given Name (First Name)
- 18.c. Middle Name

Part 3. Information About the Immigrants You Are Sponsoring (continued)

19. Relationship to Sponsored Immigrant

20. Date of Birth (mm/dd/yyyy)

21. Alien Registration Number (A-Number) (if any)

▶ A-

22. USCIS ELIS Account Number (if any)

▶

Family Member 5

23.a. Family Name (Last Name)

23.b. Given Name (First Name)

23.c. Middle Name

24. Relationship to Sponsored Immigrant

25. Date of Birth (mm/dd/yyyy)

26. Alien Registration Number (A-Number) (if any)

▶ A-

27. USCIS ELIS Account Number (if any)

▶

28. Enter the total number of immigrants you are sponsoring on this affidavit from Item Numbers 1.a. - 27.

Part 4. Information About You (Sponsor)**Sponsor's Full Name**

1.a. Family Name (Last Name)

1.b. Given Name (First Name)

1.c. Middle Name

Sponsor's Mailing Address

2.a. In Care Of Name

2.b. Street Number and Name

2.c. ☐ Apt. ☐ Ste. ☐ Flr.

2.d. City or Town

2.e. State

2.f. ZIP Code

2.g. Province

2.h. Postal Code

2.i. Country

3. Is your current mailing address the same as your physical address?

☐ Yes ☐ No

If you answered "No" to Item Number 3., provide your physical address below.

Sponsor's Physical Address

4.a. Street Number and Name

4.b. ☐ Apt. ☐ Ste. ☐ Flr.

4.c. City or Town

4.d. State

4.e. ZIP Code

4.f. Province

4.g. Postal Code

4.h. Country

**For
USCIS
Use
Only**

Part 4. Information About You (Sponsor)
(continued)

Other Information

5. Country of Domicile
6. Date of Birth (mm/dd/yyyy)
7. City or Town of Birth
8. State or Province of Birth
9. Country of Birth
10. U.S. Social Security Number (Required)

Citizenship or Residency

- 11.a. ☐ I am a U.S. citizen.
- 11.b. ☐ I am a U.S. national.
- 11.c. ☐ I am a lawful permanent resident.

12. Sponsor's A-Number (if any)

13. Sponsor's USCIS ELIS Account Number (if any)

Military Service (To be completed by petitioner sponsors only.)

14. I am currently on active duty in the U.S. Armed Forces or U.S. Coast Guard. ☐ Yes ☐ No

Part 5. Sponsor's Household Size

NOTE: Do not count any member of your household more than once.

Persons you are sponsoring in this affidavit:

1. Provide the number you entered in Part 3., Item Number 28.

Persons NOT sponsored in this affidavit:

2. Yourself.
3. If you are currently married, enter "1" for your spouse.
4. If you have dependent children, enter the number here.
5. If you have any other dependents, enter the number here.
6. If you have sponsored any other persons on Form I-864 or Form I-864 EZ who are now lawful permanent residents, enter the number here.
7. **OPTIONAL:** If you have siblings, parents, or adult children with the same principal residence who are combining their income with yours by submitting Form I-864A, enter the number here.
8. Add together Part 5., Item Numbers 1. - 7. and enter the number here. **Household Size:**

**For
USCIS
Use
Only**

Part 6. Sponsor's Employment and Income

I am currently:

1.a. ☐ Employed as a/an

1.a.1. Name of Employer 1 (if applicable)

1.a.2. Name of Employer 2 (if applicable)

1.b. ☐ Self employed as a/an (Occupation)

1.c. ☐ Retired From (Company Name)

since (mm/dd/yyyy)

1.d. ☐ Unemployed

since (mm/dd/yyyy)

2. My current individual annual income is:

\$

Income you are using from any other person who was counted in your household size, including, in certain conditions, the intending immigrant. (See Form I-864 Instructions.) Please indicate name, relationship, and income.

Person 1

3. Name

4. Relationship

5. Current Income

\$

Person 2

6. Name

7. Relationship

8. Current Income

\$

Person 3

9. Name

10. Relationship

11. Current Income

\$

Person 4

12. Name

13. Relationship

14. Current Income

\$

15. **My Current Annual Household Income** (Total all lines from Part 6., Item Numbers 2., 5., 8., 11., and 14.; the total will be compared to Federal Poverty Guidelines on Form I-864P.)

\$

16. ☐ The people listed in Item Numbers 3., 6., 9., and 12. have completed Form I-864A. I am filing along with this affidavit all necessary Form I-864As completed by these people.

For USCIS Use Only	Household Size	Poverty Guideline	Remarks
	<input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3	Year: <u>20</u>	
	<input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6	Poverty Line:	
	<input type="checkbox"/> 7 <input type="checkbox"/> 8 <input type="checkbox"/> 9	\$ _____	
	<input type="checkbox"/> Other _____		

Part 6. Sponsor's Employment and Income (continued)

17. ☐ One or more of the people listed in **Item Numbers 3., 6., 9., and 12.** do not need to complete Form I-864A because he or she is the intending immigrant and has no accompanying dependents.

Name

Federal Income Tax Return Information

- 18.a. Have you filed a Federal income tax return for each of the three most recent tax years? ☐ Yes ☐ No

NOTE: You **MUST** attach a photocopy or transcript of your Federal income tax return for only the most recent tax year.

- 18.b. ☐ (Optional) I have attached photocopies or transcripts of my Federal income tax returns for my second and third most recent tax years.

My total income (adjusted gross income on Internal Revenue Service (IRS) Form 1040EZ) as reported on my Federal income tax returns for the most recent three years was:

	Tax Year	Total Income
19.a. Most Recent	<input type="text"/>	\$ <input type="text"/>
19.b. 2nd Most Recent	<input type="text"/>	\$ <input type="text"/>
19.c. 3rd Most Recent	<input type="text"/>	\$ <input type="text"/>

20. ☐ I was not required to file a Federal income tax return as my income was below the IRS required level and I have attached evidence to support this.

Part 7. Use of Assets to Supplement Income (Optional)

If your income, or the total income for you and your household, from Part 6., Item Numbers 19.a. - 19.c., exceeds the Federal Poverty Guidelines for your household size, **YOU ARE NOT REQUIRED** to complete this Part 7. Skip to Part 8.

Your Assets (Optional)

1. Enter the balance of all savings and checking accounts.

\$

2. Enter the net cash value of real-estate holdings. (Net value means current assessed value minus mortgage debt.)

\$

3. Enter the net cash value of all stocks, bonds, certificates of deposit, and any other assets not already included in Item Number 1. or Item Number 2.

\$

4. Add together Item Numbers 1. - 3. and enter the number here.

TOTAL: \$ **Assets from Form I-864A, Part 4., Item Number 3.d., for:**

- 5.a. Name of Relative

- 5.b. Your household member's assets from Form I-864A (optional).

\$

Assets of the principal sponsored immigrant (optional).
The principal sponsored immigrant is the person listed in Part 2., Item Numbers 1.a. - 1.c.

6. Enter the balance of the sponsored immigrant's savings and checking accounts.

\$

For USCIS Use Only	Household Size	Poverty Guideline	Sponsor's Household Income (Page 5, Line 10)	Remarks
	<input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> 7 <input type="checkbox"/> 8 <input type="checkbox"/> 9 <input type="checkbox"/> Other _____	Year: <u>20</u>	\$ _____	
	Poverty Line: \$ _____	<i>The total value of all assets, line 10, must equal 5 times (3 times for spouses and children of USC's, or 1 time for orphans to be formally adopted in the U.S.) the difference between the poverty guidelines and the sponsor's household income, line 10.</i>		

Part 7. Use of Assets to Supplement Income (Optional) (continued)

7. Enter the net cash value of all the sponsored immigrant's real estate holdings. (Net value means investment value minus mortgage debt.) \$

8. Enter the current cash value of the sponsored immigrant's stocks, bonds, certificates of deposit, and other assets not included in Item Number 6. or Item Number 7. \$

9. Add together Item Numbers 6. - 8. and enter the number here. \$

Total Value of Assets

10. Add together Item Numbers 4., 5.b., and 9. and enter the number here. TOTAL: \$

Part 8. Sponsor's Contract, Statement, Contact Information, Certification, and Signature

NOTE: Read the information on penalties in the **Penalties** section of the Form I-864 Instructions before completing this part.

Sponsor's Contract

Please note that, by signing this Form I-864, you agree to assume certain specific obligations under the Immigration and Nationality Act (INA) and other Federal laws. The following paragraphs describe those obligations. Please read the following information carefully before you sign Form I-864. If you do not understand the obligations, you may wish to consult an attorney or accredited representative.

What is the Legal Effect of My Signing Form I-864?

If you sign Form I-864 on behalf of any person (called the intending immigrant) who is applying for an immigrant visa or for adjustment of status to a lawful permanent resident, and that intending immigrant submits Form I-864 to the U.S. Government with his or her application for an immigrant visa or adjustment of status, under INA section 213A, these actions create a contract between you and the U.S. Government. The intending immigrant becoming a lawful permanent resident is the consideration for the contract.

Under this contract, you agree that, in deciding whether the intending immigrant can establish that he or she is not inadmissible to the United States as a person likely to become a public charge, the U.S. Government can consider your income and assets as available for the support of the intending immigrant.

What If I Choose Not to Sign Form I-864?

The U.S. Government cannot make you sign Form I-864 if you do not want to do so. But if you do not sign Form I-864, the intending immigrant may not become a lawful permanent resident in the United States.

What Does Signing Form I-864 Require Me to do?

If an intending immigrant becomes a lawful permanent resident in the United States based on a Form I-864 that you have signed, then, until your obligations under Form I-864 terminate, you must:

- A. Provide the intending immigrant any support necessary to maintain him or her at an income that is at least 125 percent of the Federal Poverty Guidelines for his or her household size (100 percent if you are the petitioning sponsor and are on active duty in the U.S. Armed Forces or U.S. Coast Guard, and the person is your husband, wife, or unmarried child under 21 years of age); and

Part 8. Sponsor's Contract, Statement, Contact Information, Certification, and Signature (continued)

- B.** Notify U.S. Citizenship and Immigration Services (USCIS) of any change in your address, within 30 days of the change, by filing Form I-865.

What Other Consequences Are There?

If an intending immigrant becomes a lawful permanent resident in the United States based on a Form I-864 that you have signed, then, until your obligations under Form I-864 terminate, the U.S. Government may consider (deem) your income and assets as available to that person, in determining whether he or she is eligible for certain Federal means-tested public benefits and also for state or local means-tested public benefits, if the state or local government's rules provide for consideration (deeming) of your income and assets as available to the person.

This provision does **not** apply to public benefits specified in section 403(c) of the Welfare Reform Act such as emergency Medicaid, short-term, non-cash emergency relief; services provided under the National School Lunch and Child Nutrition Acts; immunizations and testing and treatment for communicable diseases; and means-tested programs under the Elementary and Secondary Education Act.

What If I Do Not Fulfill My Obligations?

If you do not provide sufficient support to the person who becomes a lawful permanent resident based on a Form I-864 that you signed, that person may sue you for this support.

If a Federal, state, local, or private agency provided any covered means-tested public benefit to the person who becomes a lawful permanent resident based on a Form I-864 that you signed, the agency may ask you to reimburse them for the amount of the benefits they provided. If you do not make the reimbursement, the agency may sue you for the amount that the agency believes you owe.

If you are sued, and the court enters a judgment against you, the person or agency that sued you may use any legally permitted procedures for enforcing or collecting the judgment. You may also be required to pay the costs of collection, including attorney fees.

If you do not file a properly completed Form I-865 within 30 days of any change of address, USCIS may impose a civil fine for your failing to do so.

When Will These Obligations End?

Your obligations under a Form I-864 that you signed will end if the person who becomes a lawful permanent resident based on that affidavit:

- A.** Becomes a U.S. citizen;
- B.** Has worked, or can receive credit for, 40 quarters of coverage under the Social Security Act;
- C.** No longer has lawful permanent resident status and has departed the United States;
- D.** Is subject to removal, but applies for and obtains, in removal proceedings, a new grant of adjustment of status, based on a new affidavit of support, if one is required; or
- E.** Dies.

NOTE: Divorce **does not** terminate your obligations under Form I-864.

Your obligations under a Form I-864 that you signed also end if you die. Therefore, if you die, your estate is not required to take responsibility for the person's support after your death. However, your estate may owe any support that you accumulated before you died.

Sponsor's Statement

NOTE: Select the box for either Item Number 1.a. or 1.b. If applicable, select the box for Item Number 2.

- 1.a.** ☐ I can read and understand English, and have read and understand every question and instruction on this affidavit, as well as my answer to every question.
- 1.b.** ☐ The interpreter named in **Part 9** has also read to me every question and instruction on this affidavit, as well as my answer to every question, in

a language in which I am fluent. I understand every question and instruction on this affidavit as translated to me by my interpreter, and have provided complete, true, and correct responses in the language indicated above.

Part 8. Sponsor's Contract, Statement, Contact Information, Certification, and Signature
 (continued)

2. ☐ I have requested the services of and consented to _____, who ☐ is ☐ is not an attorney or accredited representative, preparing this affidavit for me.

Sponsor's Contact Information

3. Sponsor's Daytime Telephone Number

4. Sponsor's Mobile Telephone Number (if any)

5. Sponsor's Email Address (if any)

Sponsor's Certification

Copies of any documents I have submitted are exact photocopies of unaltered, original documents, and I understand that USCIS or the Department of State may require that I submit original documents to USCIS or the Department of State at a later date. Furthermore, I authorize the release of any information from any and all of my records that USCIS or the Department of State may need to determine my eligibility for the benefit that I seek.

I furthermore authorize release of information contained in this affidavit, in supporting documents, and in my USCIS or Department of State records to other entities and persons where necessary for the administration and enforcement of U.S. immigration laws.

I certify, under penalty of perjury, that the information in my affidavit and any document submitted with my affidavit were provided by me and are complete, true, and correct, and:

- A. I know the contents of this affidavit of support that I signed;
- B. I have read and I understand each of the obligations described in **Part 8.**, and I agree, freely and without any mental reservation or purpose of evasion, to accept each of those obligations in order to make it possible for the immigrants indicated in **Part 3.** to become lawful permanent residents of the United States;
- C. I agree to submit to the personal jurisdiction of any Federal or state court that has subject matter jurisdiction of a lawsuit against me to enforce my obligations under this Form I-864;
- D. Each of the Federal income tax returns submitted in support of this affidavit are true copies, or are unaltered tax transcripts, of the tax returns I filed with the IRS;
- E. I understand that, if I am related to the sponsored immigrant by marriage, the termination of the marriage (by divorce, dissolution, annulment, or other legal process) will not relieve me of my obligations under this Form I-864; and
- F. I authorize the Social Security Administration to release information about me in its records to the Department of State and USCIS.

Sponsor's Signature

- 6.a. Sponsor's Signature



- 6.b. Date of Signature (mm/dd/yyyy)

NOTE TO ALL SPONSORS: If you do not completely fill out this affidavit or fail to submit required documents listed in the Instructions, USCIS or the Department of State may deny your affidavit.

Part 9. Interpreter's Contact Information, Certification, and Signature

Provide the following information about the interpreter.

Interpreter's Full Name

1.a. Interpreter's Family Name (Last Name)

1.b. Interpreter's Given Name (First Name)

2. Interpreter's Business or Organization Name (if any)

Interpreter's Mailing Address

3.a. Street Number and Name

3.b. ☐ Apt. ☐ Ste. ☐ Flr.

3.c. City or Town

3.d. State

3.e. ZIP Code

3.f. Province

3.g. Postal Code

3.h. Country

Interpreter's Contact Information

4. Interpreter's Daytime Telephone Number

5. Interpreter's Email Address (if any)

Interpreter's Certification

I certify that:

I am fluent in English and , which is the same language provided in Part 8., Item Number 1.b.;

I have read to this sponsor every question and instruction on this affidavit, as well as the answer to every question, in the language provided in Part 8., Item Number 1.b.; and

The sponsor has informed me that he or she understands every instruction and question on the affidavit, as well as the answer to every question, and the sponsor verified the accuracy of every answer.

Interpreter's Signature

6.a. Interpreter's Signature

6.b. Date of Signature (mm/dd/yyyy)

Part 10. Contact Information, Statement, Certification, and Signature of the Person Preparing this Affidavit, If Other Than the Sponsor

Provide the following information about the preparer.

Preparer's Full Name

1.a. Preparer's Family Name (Last Name)

1.b. Preparer's Given Name (First Name)

2. Preparer's Business or Organization Name (if any)

Part 10. Contact Information, Statement, Certification, and Signature of the Person Preparing this Affidavit, If Other Than the Sponsor (continued)

Preparer's Mailing Address

- 3.a. Street Number and Name
- 3.b. ☐ Apt. ☐ Ste. ☐ Flr.
- 3.c. City or Town
- 3.d. State 3.e. ZIP Code
- 3.f. Province
- 3.g. Postal Code
- 3.h. Country

Preparer's Contact Information

4. Preparer's Daytime Telephone Number
5. Preparer's Fax Number
6. Preparer's Email Address (if any)

Preparer's Statement

- 7.a. ☐ I am not an attorney or accredited representative but have prepared this affidavit on behalf of the sponsor and with the sponsor's consent.

- 7.b. ☐ I am an attorney or accredited representative and my representation of the sponsor in this case ☐ extends ☐ does not extend beyond the preparation of this affidavit.

NOTE: If you are an attorney or accredited representative whose representation extends beyond preparation of this affidavit, you must submit a completed Form G-28, Notice of Entry of Appearance as Attorney or Accredited Representative, with this affidavit.

Preparer's Certification

By my signature, I certify, swear, or affirm, under penalty of perjury, that I prepared this affidavit on behalf of, at the request of, and with the express consent of the sponsor. I completed this affidavit based only on responses the sponsor provided to me. After completing the affidavit, I reviewed it and all of the responses with the sponsor, who agreed with every answer on the affidavit. If the sponsor supplied additional information concerning a question on the affidavit, I recorded it on the affidavit.

Preparer's Signature

- 8.a. Preparer's Signature
- 8.b. Date of Signature (mm/dd/yyyy)

